

EXHIBIT C

CERTIFIED TRANSCRIPT

LOPEZ

VS.

CITY OF LOS ANGELES, ET AL

ALEX YIM

September 20, 2023



JONNELL AGNEW & ASSOCIATES
(800) 524-DEPO

COURT REPORTERS/VIDEOGRAPHERS/INTERPRETERS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARGARITO T. LOPEZ, SONIA)
TORRES, KENI LOPEZ, ROSY LOPEZ,)
Plaintiffs,)
vs.) No. 2:22-CV-07534-
CITY OF LOS ANGELES, JOSE) FLA-MAA
ZAVALA, JULIO QUINTANILLA, AND)
DOES 1 THROUGH 10, INCLUSIVE,)
Defendants.)

**CERTIFIED
TRANSCRIPT**

Videotaped deposition of ALEX YIM, a witness, taken
on behalf of the Plaintiffs, before Suzanne Scheller,
CSR No. 12652, commencing on Wednesday, September 20,
2023, at 10:05 a.m., taken via Zoom, pursuant to Notice
of Taking Deposition.

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1 A. It was for a stolen vehicle. 10:30:46

2 Q. And was Officer Prisk there with you?

3 A. Yes, sir.

4 Q. And had you wrapped up that -- that call
5 regarding the stolen vehicle? 10:31:08

6 A. Yes, sir.

7 Q. And when the call came regarding
8 Mr. Lopez, can you describe to us what was said over
9 the police radio regarding that call?

10 A. The nature of the call was an ambulance 10:31:22
11 attempt suicide, I believe.

12 Q. Was there any descriptions over the radio
13 when you first heard of this matter regarding how
14 this person was attempting suicide?

15 A. Am I allowed to -- 10:31:50

16 MR. FORD: Sorry. I don't know if he can
17 answer the question without reviewing a report.

18 But go ahead and try.

19 THE WITNESS: I don't recall at this time.

20 BY MR. FLORES: 10:32:00

21 Q. Okay. And how long -- did you respond to
22 that call?

23 A. How long did it take me?

24 Q. Well, let me ask you a preliminary. Did
25 you respond to this call regarding this individual 10:32:21

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1 the time lethal force was used, did you have the
2 40-millimeter?

10:53:56

3 A. I had the 40, yes, sir.

4 Q. In other words, you didn't switch weapons
5 or tools at any point up to the time lethal force
6 was used?

10:54:08

7 A. No, sir.

8 Q. Okay. While you were there at the scene,
9 did you ever learn of Mr. Lopez issuing any threats
10 before you got there?

10:54:39

11 MS. LAWRENCE: That's vague and ambiguous.

12 MR. FORD: Yeah. Vague and ambiguous to
13 the term "any threats." Join.

14 Go ahead and answer, if you can.

15 MS. LAWRENCE: And before he arrived. So
16 do you mean over the radio?

10:54:50

17 MR. FORD: Yeah. That would call for
18 speculation.

19 But go ahead and answer.

20 THE WITNESS: I'm so sorry. Can you
21 repeat that question?

10:54:58

22 BY MR. FLORES:

23 Q. Sure. Let me clarify my question. When
24 you arrived on-scene, did you learn any information
25 of any activities or anything Mr. Lopez had done

10:55:06

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1 prior to you arriving there?

10:55:11

2 A. Yes, sir. While we were en route to the
3 scene, a separate -- additional radio call came out
4 that Mr. Lopez was running down the streets like
5 attempting to cut people with the knife.

10:55:24

6 Q. When you got on-scene, did you see anyone
7 approach any officers who -- of anyone who allegedly
8 was threatened by Mr. Lopez?

9 A. Did I meet with anyone that was threatened
10 by him? Was that --

10:55:51

11 Q. Yes. When -- when you arrived on-scene,
12 did you see anyone approach any of the officers that
13 were there and said, Hey, I was one of the
14 individuals that was threatened by Mr. Lopez with a
15 knife?

10:56:03

16 A. No, sir.

17 Q. Did you ever see any individuals later on,
18 either at the -- after lethal force or at any -- at
19 any point, approach officers and say, I was one of
20 the individuals that was threatened by Mr. Lopez?

10:56:18

21 A. No, sir.

22 Q. As far as you know, were -- did any of
23 those individuals that were allegedly threatened by
24 Mr. Lopez before police officers arrived by --
25 on-scene, did anyone ever learn who they were?

10:56:40

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1 your position, were you able to see any signs that 11:17:17
2 Mr. Lopez had, in fact, attempted to hurt himself,
3 cut himself?

4 A. Yeah. Like, I saw him put the knife to
5 his neck and his hand and move it in a sawing 11:17:30
6 motion.

7 Q. Was he -- did you see any bleeding, any
8 cuts on him?

9 A. No, sir.

10 Q. So as far as you could tell from your 11:17:45
11 position, even though he was doing the cutting or
12 sawing motion on himself, did you, in fact, see if
13 he, in fact, cut himself?

14 A. No, sir, I did not.

15 Q. And -- and prior to this call with 11:18:01
16 Mr. Lopez, had you ever shown up to this particular
17 location and had any interactions with Mr. Lopez?

18 A. No, sir.

19 Q. Were you aware of any other officers there
20 on-scene being called to that location and having an 11:18:16
21 interaction with Mr. Lopez?

22 A. Not that I'm aware, sir.

23 Q. Later -- at any point afterwards, were you
24 aware -- did you learn of earlier calls from -- to
25 that location and officers having interactions with 11:18:36

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1 **Q. Okay. How soon after Mr. Lopez sat down**
2 **did he stand up again?**

11:24:03

3 MS. LAWRENCE: Asked and answered.

4 THE WITNESS: Another ten minutes or so.
5 Five or ten minutes.

11:24:32

6 MS. LAWRENCE: I'm not sure I understand
7 the question, then. I think you had said 30 seconds
8 from the time he stood up to sat down. Is this a
9 different question or the same? I'm confused.

10 MR. FLORES: It was a different question.
11 I wanted to learn how long after he sat down again
12 did he stand up.

11:24:44

13 MS. LAWRENCE: Okay. I understand.
14 BY MR. FLORES:

15 **Q. And the estimate you gave us, Officer, was**
16 **five to ten minutes; is that -- is that still your**
17 **estimate?**

11:24:54

18 A. Yes, sir.

19 **Q. And when he stood up the second time, what**
20 **did you observe Mr. Lopez do?**

11:25:06

21 A. Before he stood up, he made the cross with
22 his hands, stood up, raised his right hand with a
23 knife -- with the blade pointing in our direction,
24 walked down the steps, and began to approach my
25 partner officers.

11:25:28

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1 did, in fact, hit -- hit him?

11:29:01

2 A. I never saw any bruising. He had a shirt
3 on, sir.

4 Q. Well, was -- at some point after the
5 shooting, there was CPR, first aid administered to
6 Mr. Lopez; is that right?

11:29:12

7 A. Yes, sir.

8 Q. Paramedics removed his shirt?

9 A. I didn't personally see it. I was dealing
10 with the family at that point, so I didn't see what
11 happened with the medics.

11:29:28

12 Q. When you discharged your weapon, was it a
13 response to a command that you were given?

14 MS. LAWRENCE: Asked and answered.

15 THE WITNESS: No. It was because he was
16 approaching my partner officers with a knife in his
17 hand after he made a praying gesture and all the
18 other movements he was doing before, like cutting
19 his own neck and hand.

11:29:49

20 BY MR. FLORES:

11:30:07

21 Q. Who discharged -- well, let me start over.
22 Did you hear any other officers discharge
23 their weapons prior to yours discharging?

24 A. No, sir.

25 Q. Do you know if you discharged your weapon

11:30:45

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1 the time you arrived on the scene with Mr. Lopez to
2 the time lethal force was used, Mr. Lopez remained
3 to that part of the stairs? In other words, he
4 didn't go to no other locations?

12:31:12

5 A. Yes. He remained at the steps, yes.

12:31:31

6 Q. Okay. And during your time with Mr. Lopez
7 there at that incident, did you ever see Mr. Lopez
8 exhibit -- how should I describe this -- exaggerated
9 behavior? For example, at any point was he jumping
10 up and down, waving his arms, running up and down
11 the stairs, anything like that?

12:32:04

12 MR. FORD: Well, the question is vague and
13 ambiguous.

14 But go ahead and answer.

15 THE WITNESS: He was -- held a knife to
16 his neck and sawing it back and forth, and then he
17 put it to his hand and was sawing it back and forth.
18 BY MR. FLORES:

12:32:16

19 Q. Other than those gestures, I just want to
20 know physical in terms of movement, did you ever see
21 him make any exaggerated physical gestures in terms
22 of him running up and down the stairs, jumping up
23 and down, make sudden movements?

12:32:27

24 A. No, sir. He wasn't, like, moving around
25 the steps except for when he walked down the steps.

12:32:48

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1 I, SUZANNE SCHELLER, CSR No. 12652, a Certified
2 Shorthand Reporter for the County of Riverside, State of
3 California, do hereby certify;

4 That prior to being examined, the witness named
5 in the foregoing deposition, was by me duly sworn to
6 testify the truth, the whole truth, and nothing but the
7 truth;

8 That said deposition was taken before me at
9 the time and place herein set forth, and was taken by me
10 in shorthand and thereafter transcribed into typewriting
11 under my direction and supervision, and I hereby certify
12 that the said deposition is a full, true and correct
13 transcription of my shorthand notes so taken;

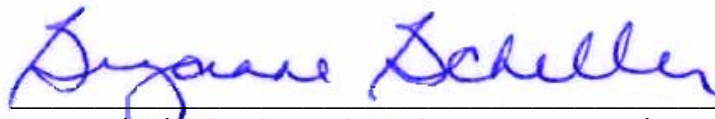
14 (X) Reading and signing was requested.

15 () Reading and signing was waived.

16 () Reading and signing was not requested.

17 I further certify that I am neither counsel
18 for nor related to any party to said action, nor in any
19 way interested in the outcome thereof.

20 IN WITNESS WHEREOF, I hereunto subscribe my
21 name this 3rd day of October, 2023.

22 
23

24 Certified Shorthand Reporter in
25 and for the County of Riverside,
State of California